

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 24-cv-60984-Rosenberg/Augustin-Birch

MELINDA MICHAELS,

Plaintiff,

v.

SEAWATER PRO LLC, and
MICHAEL SPANOS A/K/A MIKE SPANOS,

Defendants.

/

JOINT MOTION FOR REVISED SCHEDULING ORDER

Plaintiff Melinda Michaels and Defendants Seawater Pro LLC and Michael Spanos a/k/a Mike Spanos (the “Parties”), by and through undersigned counsel, respectfully submit this Joint Motion for Revised Scheduling Order pursuant to Local 7.1 and Fed. R. Civ. P. 6(b)(1). In support, the Parties respectfully present the court the following:

1. On July 19, 2024, the Parties filed a Joint Scheduling Report pursuant to Fed. R. Civ. P. 26(f)(3) [DE 8].
2. On July 30, 2024, the Court entered its Order Setting Status Conference, Calendar Call, Pretrial Deadlines, and Trial Date, Order of Requirements, and Order of Reference to Mediation [DE 16].
3. On September 25, 2024, Plaintiff served Interrogatories, Requests for Admissions and Requests for Production on Defendants.
4. On September 25, 2024, Defendants served Interrogatories, Requests for Admissions and Requests for Production on Plaintiff.

5. On October 24, 2024, upon notice of substitution of counsel, the Parties agreed to a mutual 30-day extension for responses to discovery through November 25, 2024.
6. On October 31, 2024, the Court granted Defendants' Substitution of Counsel (DE 35).
7. Pursuant to the Court's scheduling order dated July 30, 2024:
 - a. Fact discovery deadline is December 7, 2024
 - b. Expert discovery deadline is December 23, 2024
8. As of November 25, 2024, the parties have been engaged in discovery, including written discovery and document productions. However, given the amount of fact discovery still to be completed, and in order to accommodate the substitution of new counsel, the Parties agree that additional time is required to conduct discovery and thus jointly request that the Court extend and revise the following two deadlines in the Court's schedule as follows:

<i>January 31, 2025</i>	<i>All fact discovery shall be completed.</i>
<i>February 7, 2025</i>	<i>All Pretrial Motions, including summary judgment motions, Daubert motions, and motions in limine.</i>

9. The Parties submit that good cause exists to grant the extensions and revisions to this schedule. This is the Parties' first request to extend the deadlines in this schedule. Federal Rule of Civil Procedure 6(b)(1) states that when a deadline exists for a party to act, the court "for cause shown may at any time in its discretion with or without motion or notice order the period enlarged if request thereof is made before the expiration of the period originally prescribed or as extended by previous order." The requested extensions are required due to the need for further fact discovery, including the taking of Depositions which are scheduled for January 21, 2025, for Plaintiff Melinda Michaels, and January

22, 2025, for Defendant Michael Spanos. Moreover, with substitution of new counsel, Plaintiff has been cooperative in granting an extension of Discovery responses as a result. Moreover, as indicated by the joint nature of this motion, the Parties have conferred and are in agreement regarding the requested extensions and revisions to the schedule.

10. For these reasons, the Parties respectfully request that the Court enter the attached proposed order granting the Parties' Joint Motion for the Extension of the Discovery and Pretrial Motions Deadlines, let all other deadlines remain, and grant such other further relief as the Court deems necessary.

Respectfully Submitted,

Dated: November 26, 2024

/s/Dillon S. Cuthbertson

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